

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Revise
Commission General Order Number 95 Pursuant
to D.05-01-030.

Rulemaking 05-02-023
(Filed February 24, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING REVISING
SCHEDULE FOR WORKSHOP REPORT, TESTIMONY AND HEARING**

The Consumer Protection and Safety Division (CPSD), following consultation with me, has scheduled two additional days of workshops in this proceeding for August 24 and 25, 2005, in San Francisco. This necessitates a change in the schedule for the filing of CPSD's Workshop Report, service of direct and reply testimony, and evidentiary hearing. The revised schedule, which is intended to provide parties with approximately the same amount of time as the former schedule, is as follows:

August 24-25, 2005	CPSD will conduct a workshop in Training Room B of the Commission, 505 Van Ness Avenue, San Francisco. The workshop will extend from 9 a.m. to 5:00 p.m. each day.
September 12, 2005	CPSD will file and serve a Workshop Report stating accords, if any, reached by the parties on Proposed Rule 94 to General Order 95 and briefly summarizing the positions of the parties, including the position of CPSD. Parties may file and serve comments on the Workshop Report within five working days of its issuance.

September 27, 2005	Parties, including CPSD, will serve the written testimony and exhibits of witnesses they expect to call at the evidentiary hearing. Testimony will be in question-and-answer format where practical, with a copy to the Assigned Commissioner and the Administrative Law Judge (ALJ).
October 18, 2005	Parties, including CPSD, will serve their written reply testimony and exhibits, with a copy to the Assigned Commissioner and the ALJ.
November 14-18, 2005	Public hearing will be conducted beginning at 10:00 a.m. November 14, 2005, in the Commission Hearing Room, 505 Van Ness Avenue, San Francisco.

Briefs and reply briefs are to be filed after receipt of transcripts on dates to be determined at hearing.

All other determinations set forth in the Scoping Memo and Ruling of Assigned Commissioner dated June 7, 2005, remain in force and are unchanged. It continues to be the goal of Assigned Commissioner Brown to have a resolution of this proceeding at or shortly after the end of the year.

Role of CPSD

In view of the quasi-legislative nature of this proceeding, CPSD to its credit has sought to advise and assist the facilitator in encouraging the parties during workshops to reach consensus on issues, with due regard for safety and the public interest. Now that workshops are concluding, however, CPSD should assume the role of an active party as to the adjudicative issues that are to be addressed at hearing. In preparing its Workshop Report, CPSD is asked to present its own views and recommendations, along with the views and

recommendations of other parties. At hearing, CPSD will be asked to present testimony and participate in cross-examination in the same manner as other parties to this proceeding. In its role as a party, CPSD will not be advising decisionmakers except, like other parties, through its pleadings and comments on the proposed decision.

IT IS RULED that:

1. The schedule for this proceeding is revised as set forth herein.
2. With workshops concluding, the Commission's Consumer Protection and Safety Division is asked to assume the role of an active party both in presenting its recommendations in the Workshop Report and in participating in the evidentiary hearing.

Dated August 3, 2005, at San Francisco, California.

/s/ GLEN WALKER

Glen Walker
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail, to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Revising Schedule for Workshop Report, Testimony and Hearing on all parties of record in this proceeding or their attorneys of record.

Dated August 3, 2005, at San Francisco, California.

/s JANET V. ALVIAR

Janet V. Alviar

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.